PROSPECT; *or, View of the Moral World.*

VOL. I. SATURDAY, *September* 15, 1804. No. 41.

Comments upon the Sacred Writings of the Jews and Christians. Exodus Chapter 22.

TOGETHER

With a Commentary on certain passages in Blackstone's Commentaries upon the Laws of England.

(See vol. 4, *page* 60, 336, *&c.*

SUBJECT OF WITCHCRAFT.

"THOU ſhalt not ſuffer a witch to live," ſaith the Jewiſh Scripture. There is no ſuch thing as a witch in nature, nor ever was, nor ever will be, ſaith the ſolemn voice of reaſon. Here then is ſcripture againſt reaſon, and this has always been the caſe, for the former rejects the uſe of reaſon, and pretends to mystery of a ſupernatural kind. It is curious to obſerve how men of ſcientific and accompliſhed minds will yield to the force of popular prejudice, and the influence of ancient ſuperſtition. The learned and judicious Blackſtone, one of the best and most perſpicuous law writers in the world, eminent for talents and various intellectual accompliſhments, ſeems from the paſſages which we ſhall ſoon extract, to have been placed in a dilemma from which it was difficult to eſcape. His understanding compelled him to reject all stories of witchcraft, and the ſacred writings of the Jews and Christians commanded him to believe. Belief was fooliſh, and rejection infidelity and unpopularity. Thus ſituated the following paſſages from his book will ſhew to what ſhifts and evaſions a man must often be driven when his courage or his ſituation will not permit him to ſpeak the truth with manly boldneſs. The paſſages alluded to are the following:—

A ſixth ſpecies of offences againſt God and religion, of which our ancient books are all full, is a crime of which one knows not well what account to give. I mean the of-

fence of witchcraft, conjuration, inchantment, or ſorcery. To deny the poſſibility, nay, actual exiſtence, of witchcraft and ſorcery, is at once flatly to contradict the revealed word of God, in various paſſages both of the old and new teſtament: and the thing itſelf is a truth to which every nation in the world hath in its turn born teſtimony, by either examples ſeemingly well attested, or prohibitory laws, which at leaſt ſuppoſe the poſſibility of a commerce with evil ſpirits. The civil law puniſhes with death not only the ſorcerers themſelves, but alſo thoſe who conſult them(e); imitating in the former the expreſs law of God (f), "thou ſhalt not ſuffer a witch to live." And our own laws both before and ſince the conqueſt, have been equally penal; ranking this crime in the ſame claſs with hereſy, and condemning both to the flames (g). The preſident Monteſquieu (h) ranks them alſo both together, but with a very different view: laying it down as an important maxim, that we ought to be very circumſpect in the proſecution of magic and hereſy; becauſe the most unexceptionable conduct, the purest morals, and the conſtant practice of every duty in life, are not a ſufficient ſecurity againſt the ſuſpicion of crimes like theſe. And indeed the ridiculous ſtories that are generally told, and the many impoſtors and deluſions that have been diſcovered in all ages, are enough to demoliſh all faith in ſuch a dubious crime; if the contrary evidence were not alſo extremely ſtrong. Wherefore it ſeems to be the most eligible way to couclude, with an ingenuous writer of our own (i), that in general there has been ſuch a thing as witchcraft; though one cannot give credit to any particular modern inſtance of it.

Our forefathers were ſtronger believers, when they enacted by ſtatute 33 Hen. VIII. c. 8. all witchcraft and ſorcery to be felony without benefit of clergy; and again by ſtatute 1 Jac. I. c. 12. that all perſons invoking any

(e) *Cod. l.* 9. *t.* 18
(f) Exod. xxii. 18.
(g) 3 Inſt. 44.
(h) Sp. L. b. 12. c. 5.
(i) Mr. Addiſon. Spect. No. 117.

evil ſpirit, or conſulting, covenanting with, entertaining, employing, feeding, or rewarding an evil ſpirit; or taking up dead bodies from their graves to be uſed in any witchcraft, ſorcery, or inchantment; or killing or otherwiſe hurting any perſon by ſuch infernal arts; ſhould be guilty of felony without the benefit of clergy, and ſuffer death. And, if any perſon ſhould attempt by ſorcery to diſcover hidden treaſure, or to reſtore ſtolen goods, or to provoke unlawful love, or to hurt any man or beaſt, though the ſame were not effected, he or ſhe ſhould ſuffer impriſonment or pillory for the firſt offence, and death for the ſecond. Theſe acts continued in force till lately, to the terror of all the ancient females in the kingdom: and many poor wretches were ſacrificed thereby to the prejudice of their neighbours, and their own illuſions; not a few having, by ſome means or other, confeſſed the fact at the gallows. But all executions for this dubious crime is now at an end; our legiſlature having at length followed the wiſe example of Louis XIV in France, who thought proper by an edict to reſtrain the tribunals of juſtice from receiving information of witchcraft (k) And accordingly it is with us enacted by ſtatute 9 Geo. II. c. 5. that no perſecution ſhall for the future be carried on againſt any perſon for conjuration, witchcraft, ſorcery or inchantment. But the miſdemeſnor of perſons pretending to uſe witchcraft, tell fortunes, or diſcover ſtolen goods by ſkill in occult ſciences, is ſtill deſervedly puniſhed with a year's impriſonment, and ſtanding four times in the pillory.

A ſeventh ſpecies of offenders in this claſs are all religious impoſtors: ſuch as falſly pretend an extraordinary commiſſion from heaven; or terrify and abuſe the people with falſe denunciations of judgments. Theſe, as tending to ſubvert all religion, by bringing it into ridicule

(k) Voltaire Siecl. Louis xiv. Mod. Univ. Hiſt. xxv. 215. Yet Vouglans, *(de droit criminel,* 353. 359.) ſtill reckons up ſorcery and witchcraft among the crimes puniſhable in France.

and contempt, are puniſhable by the temporal courts with fine, impriſonment, and infamous corporal puniſhment (l).

The ſeveral methods of trial and conviction of offenders, eſtabliſhed by the laws of England, were formerly more numerous than at preſent, through the ſuperſtition of our Saxon ancestors: who, like other northern nations, were extremely addicted to divination; a character, which Tacitius obſerves of the antient Germans*. They therefore invented a conſiderable number of methods of purgation or trial, to preſerve innocence from the danger of falſe witneſſes, and in conſequence of a notion that God would always interpoſe miraculouſly, to vindicate the guiltleſs.

The most ancient ſpecies of trial was that by ordeal; which was peculiarly distinguiſhed by the appellation of *judicium Dei*; and ſometimes *vulgaris purgatio*, to diſtinguiſh it from the canonical purgation, which was by the oath of the party. This was of two ſorts†, either by fire-ordeal, or water-ordeal; the former being confined to perſons of higher rank, the latter to common people. Both theſe might be performed by deputy: but the principal was to anſwer for the ſucceſs of the trial; the deputy only venturing ſome corporal pain, for hire, or perhaps for frendſhip (d). Fire-ordeal was performed either by taking up in the hand, unhurt, a peice of red hot iron, of one, two, or three pounds weight; or elſe by walking barefoot, and blindfold, over nine redhot plowſhares, laid lengthwiſe at unequal distances: and if the party eſcaped being hurt, he was adjudged innocent; but if it happened otherwiſe, as without colluſion it uſually did, he was then condemned as guilty. However, by this

(l) 1 Hawk. P. C. 7.

* *de mor. germ.* 10.

† Mirr. c. ſec. 23.

(d) This is still expreſſed in that common form of ſpeech, of "going through fire and water ſerve another."

latter method queen Emma, the mother of Edward the confeſſor, is mentioned to have cleared her character, when ſuſpected of familiarity with Alwyn biſhop of Winchester (e).

Water-ordeal was performed, either by plunging the bare arm up to the elbow in boiling water, and eſcaping unhurt thereby: and, if he floated therein without any action of ſwimming, it was deemed an evidence of his guilt: but, if he ſunk, he was acquitted. It is eaſy to trace out the traditional relics of this water-ordeal, in the ignorant barbarity ſtill practiſed in many countries to diſcover witches, by caſting them into a pool of water, and drowning them to prove their innocence. And in the Eaſtern empire the fire-ordeal was uſed to the ſame purpoſe by the emperor Theodore Laſcaris; who, attributing his ſickneſs to magic, cauſed all thoſe whom he ſuſpected to handle the hot iron: thus joining, as has been well remarked,‡ to the most dubious crime in the world, the most dubious proof of innocence.

The progreſs of ſcience is fatal to every ſpecies of error. We ſee with indubitable clearneſs that the witchcraft, enchantment, and ſorceries of former ages, are vaniſhing away before the diffuſive light of knowledge and men of literary habits, even though in ſome meaſure ſuperstitious, are becoming every day more unwilling to ſubſcribe to ſuch degrading follies. We have ſeen by the preceding paſſages that the learned Blackstone was vibrating between rational and ſcriptural impulſes;—between the dictates of his understanding and the fear of popular cenſure. The *divine* authority of the *ſacred writings* was the cauſe of this, and ſo long as books are ſubſtituted for the ſolid truths of the moral and phyſical world, ſo long man will be ſubjected to a baneful influence, and the powers of his understanding benumbed by the voice of authority. It is in vain to talk of the

(e) Tho. Rudborne Hist. maj. Winton. l. 4. c. 1.

‡ Sp. L. b. 12. c. 5.

wiſdom of our ancestors—to extol the knowledge of antiquity, and place it in oppoſition to the modern deduction of reaſon, when historic details preſent us with ſuch a maſs of witchcraft and diſgusting stuff as that which is contained in the ſhort extracts from Blackstone's Commentaries. Societies will be conſidered as as a fortuitous aggregation of children until they ſhall emancipate themſelves from the degrading bondage of a belief in the ſtupid nonſenſe of witchcraft, ſorcerers, dreams ghosts and a thouſand other phantaſms of which religious ſuperstition is the legitimate parent.

OF THE SABBATH-DAY OF CONNECTICUT.

The word, ſabbath, means REST, that is, ceſſation from labour ; but the stupid Blue Laws* of Connecticut make a labour of rest, for they oblige a perſon to ſit still from ſun-riſe to ſun-ſet on a ſabbath day, which is hard work. Fanatciſm made thoſe laws and hypocriſy pretends to reverence them, for where ſuch laws prevail hypocriſy will prevail alſo.

One of thoſe laws ſays, "No perſon ſhall run on a ſabbath-day, nor walk in his garden, nor elſewhere, but reverently to and from meeting." Theſe fanatical hypocrites forgot that that God dwells not in temples made with hands, and that the earth is full of his glory. One of the finest ſcenes and ſubjects of religious contemplation is to walk into the woods and fields, and ſurvey the works of the God of the creation. The wide expanſe of heaven, the earth covered with verdure, the loſty forest, the waving corn, the magnificent roll of mighty rivers, and the murmuring melody of the cheerful brooks are ſcenes that inſpire the mind with gratitude and delight; but this the gloomy Calvinist of Connecticut must not be-

* They were called Blue Laws becauſe they were originally printed on blue paper.

hold on a ſabbath-day, Entombed within the walls of his dwelling, he ſhuts from his view the temple of creation. The ſun ſhines no joy to him. The gladdening voice of nature calls on him in vain. He is deaf, dumb, and blind to every thing around him that God has made. Such is the Sabbath-day of Connecticut.

From whence could come this miſerable notion of devotion? It comes from the gloomineſs of the Calviniſtical creed. If men love darkneſs rather than light, becauſe their works are evil, the ulcerated mind of a Calvaniſt, who ſees God only in terror, and ſits brooding over ſcenes of Hell and damnation, can have no joy in beholding the glories of the creation. Nothing in that mighty and wonderous ſyſtem accords with his principles or his devotion. He ſees nothing there that tells him that God created millions on purpoſe to be damned, and that children of a ſpan long are born to burn for ever in hell. The creation preaches a different doctrine to this. We there ſee that the care and goodneſs of God is extended impartially over all the creatures he has made. The worm of the earth ſhares his protection equally with the elephant of the deſart. The graſs that ſprings beneath our feet grows by his bounty as well as the cedars of Lebanon. Every thing in the creation reproaches the Calviniſts with unjuſt ideas of God, and diſowns the hardneſs and ingratitude of his principles. Therefore he ſhuns the ſight of them on a ſabbath-day.

AN ENEMY TO CANT AND IMPOSITION.

Profeſſion of Faith from Rouſſeau, continued.

How eaſily might men preſerve that maſtery over themſelves and their paſſions, even during life, if before their vicious habits are acquired, when the faculties of the mind are just beginning to be diſplayed, they ſhould employ themſelves on thoſe objects which it is neceſſary for them to know, in order to judge of thoſe which are

unknown; if they were ſincerely deſirous of acquiring knowledge, not with a view to make a parade in the eyes of others, but in order to render themſelves wiſe, good, and happy, in the practice of their natural duties! This study appears difficult, becauſe we only apply to it after being already corrupted by vice, and made ſlaves to our paſſions. We place our judgment and esteem on objects, before we arrive at the knowledge of good and evil; and then, referring every thing to that falſe standard, we hold nothing in its due estimation.

The heart, at a certain age, while it is yet free, arduous, reſtleſs, and anxious after happineſs, is ever ſeeking it with an impatient and uncertain curioſity: when deceived by the ſenſes, it fixes on the ſhadow of it, and imagines it to be found where it doth not exist. This illuſion hath prevailed too long with me. I diſcovered it, alas! too late, and have not been able entirely to remove it: No, it will remain with me as long as this mortal body, which gave riſe to it.

To be continued.

We are requested to inform all thoſe who hold Subſcription Papers for building the Temple of Nature, that there will be a meeting of the Subſcribers on Monday evening next, at ſeven o'clock, at Shepherd's Long-Room, No. 11, George-street.—All perſons friendly to the cauſe of natural religion, and who wiſh to become ſhare-holders in the building are invited to attend. Sept. 15.

The manuſcripts which we have received from our literary correſpondents in Philadelphia and Boston, ſhall be inſerted in the Proſpect as ſoon as poſſible. We are much obliged to theſe friends of truth for their communications, and hope they will be ſo good as to continue their ſcientific favours.

New-York: Published every Saturday, by ELIHU PALMER, No. 26, Chatham-street. Price Two Dollars per ann. paid in advance.